Your ONA executive team wants you to know that any unsanctioned walkouts, strikes, or work stoppages are not protected activities.

If any Sky Lakes bargaining unit represented RN participates in such activity it is against the advice of the union and your bargaining team leadership.

With all of this in mind, know that your executive committee is working tirelessly in search of a solution. You are valued, you are heard, and you are important. Please reach out to your executive committee members if you have any ideas for a resolution.

The following statement was drafted as guidance by the ONA Labor Cabinet on this subject:

- ONA bargaining units should honor the “No Strike” provisions of their collective bargaining agreements and therefore should not issue a 10-Day Notice, nor participate in any concerted refusal to work by nurses in response to these mandates.

- The Cabinet does not condone walkouts, impromptu strikes, or any concerted refusal to work as protest against these mandates.

- A nurse who participates in any concerted refusal to work in contravention of “No Strike” language of their contract should know that ONA may not grieve any resulting discipline.

- All nurses should act consistently with their professional obligations, their employment obligations, and their obligations to the community.

- If a nurse is disciplined for walking out or refusing testing and chooses to file a grievance themselves (if allowed under the bargaining agreement), the Cabinet will review each grievance on its own merits, consistent with policy and past practice. However, as part of that review, a grievant should consider that absent unique and extraordinary circumstances, a nurse who is disciplined for refusing a testing requirement will be unlikely to be successful in an arbitration challenging that refusal.

The Sky Lakes Contract reads:

ARTICLE 26.

NO STRIKE/NO LOCKOUT

Neither the Association nor any of its agents nor any of its members will collectively, concertedly, or in any manner whatsoever engage in, incite, or participate in any picketing, strike, sit down, stay in, slow down, work stoppage or sympathy strike during the term of this Agreement; and the Hospital agrees that during the term of this Agreement, it shall not lock out any of the nurses covered by this Agreement.

It is further understood that the duly authorized representatives of the Association shall use their best efforts on behalf of the Association to actively encourage the nurses engaging in a violation of this Section to cease such conduct.
August 20, 2021

Liz Weltin
Labor Relations Representative
Oregon Nurses Association
18765 SW Boones Ferry Road, Ste. 200
Tualatin, OR 97062

Re: Possible Wildcat Strike at Sky Lakes Medical Center

Dear Liz:

It has come to our attention that a group of ONA-represented nurses at Sky Lakes Medical Center are apparently planning a sick out or walkout, which would take place around September 11, 2021.

Regardless of whether the employees call their actions a sick out or walkout, such actions constitute a wildcat strike and, as such, are unprotected activities under the National Labor Relations Act. Such actions also represent a clear violation of the parties’ collective bargaining agreement, which provides at Article 26: “Neither the Association nor any of its agents nor any of its members will collectively, concertedly, nor in any manner whatsoever, engage in, incite, or participate in any picketing, strike, sit down, stay in, slow down, work stoppage or sympathy strike during the term of this agreement.” (emphasis added). Engaging in such actions would be grounds for Sky Lakes to terminate the employee for just cause under Article 16.

Additionally, Sky Lakes respectfully requests that ONA honor its obligations under Article 26 to “use [its] best efforts on behalf of the association to actively encourage the nurses engaging in a violation of this section to cease such conduct.” In this case, Sky Lakes asks ONA to encourage its members to not participate in this planned work stoppage.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Alan E. Caldwell
541-274-6723
Director of Human Resources
Sky Lakes Medical Center

cc: Don York, Vice President-CHRO
Aletta Mannix, RN